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Instruments**

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Democratic People's Republic of Korea

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I. LAND AND PEOPLE

A. Land

1. Korea, situated in the north-eastern part of the Asian continent, consists of the Korean peninsula and 4,198 islands around it. Its total area is 222,200 square kilometres, of which mountains constitute almost 80 per cent. It is sea-bound on three sides.

2. Korea was liberated from the Japanese colonial rule on 15 August 1945. It was divided into the north and the south at 38th parallel of North latitude soon after the liberation and then after the Korean War at the military demarcation line defined in the Armistice Agreement as the boundary. The area of the country over which the DPRK's sovereignty is exercised is 122,760 square kilometres.

B. People, language and religion

3. The DPRK is a homogeneous national State. The Koreans have lived on the Korean territory, creating time-honoured history and culture in the process of forming a nation of one and the same blood inheriting the ancient Korea that evolved through the stages of primitive, Paleolithic and Neolithic man, since the early era of human morphogenesis.

4. As of 2000, the population of the DPRK was 22,963,000. The capital city of Pyongyang had 3,084,400 people.

5. The national language is Korean. The Korean language is spoken throughout the whole territory as the sole national language. The Korean language has been created and developed by the Korean people through a long historical period, and is characterized by its homogeneity and purity.

6. The DPRK has no State religion. The State guarantees freedom of religion. There are adherents of Buddhism, Christianity, Roman Catholicism and Chondoism in the country.

II. GENERAL POLITICAL STRUCTURE

A. Brief political history

7. Korea was formed as a State before the thirtieth century B.C. and developed itself and its own culture. In the nineteenth century, however, the feudal State of Korea was gravely weakened by the corruption and incompetence of the feudal rulers.

8. Japan illegally fabricated the "Ulsa 5-point Treaty" in November 1905, the "Jongmi 7-point Treaty" in 1907 and the "Korea-Japan Amalgamation Treaty" in 1910 to usurp Korea's diplomatic rights and sovereignty and to turn Korea completely into its colony.

9. The Korean people waged a vigorous revolutionary struggle against the Japanese imperialist aggressors for 20 years under the leadership of the respected President Kim Il Sung. The Korean people achieved the historic cause of national liberation on 15 August 1945.

10. After the liberation, Korea was divided into the north and the south owing to the interference of foreign forces, and the two sides traversed diametrically different courses, socialism in the north and capitalism in the south.

11. In the north, the Provisional People's Committee of North Korea was established on 8 February 1946 based on the local power organs formed in all areas on the initiative of the people and, under its guidance, democratic reforms were carried out to set up a genuine people's democratic system. And by the first democratic elections of historic significance, the People's Committee of North Korea was formed in February 1947 and the transition to socialism began.

12. In an effort to check the crisis of national break-up, general elections for a united central Government were held throughout the whole territory of the north and south of Korea in August 1948 and the Democratic People's Republic of Korea, representing the interests of all the Korean people, was founded on 9 September 1948. The founding of the DPRK meant the advent of an independent people's power of a new type and was a historic proclamation of the birth of Juche Korea.

13. The DPRK has made an onward march through trying ordeals under the Juche idea.
14. The Korean people won the fatherland liberation war of 1950-1953 against foreign aggression and defended the Republic with honour. The Korean people completed the socialist transformation of the relations of production in towns and farm villages in only four to five years after the war and established the anthropocentric socialist system of the Korean style free from exploitation and oppression of man by man.
15. The DPRK, in the course of carrying out the tasks of socialist construction of various stages from the 1960s to the 1990s, invincibly consolidated the people's power and the socialist system, relying on the single-minded unity and patriotic efforts of the entire people, the masters of the State and the society, and realized socialist industrialization to lay the foundation of an independent national economy. The Republic built the socialist culture that contributed to enhancing the creativity of the working people and satisfying their healthy cultural and emotional needs and strengthened the national self-defence capability based on the all-people and nationwide defence system.
16. Today, the Korean people, under the seasoned leadership of the respected Comrade Kim Jong Il, are making strenuous efforts to add glory to the man-centred socialist system in the Korean style, upholding the banner of the Juche idea to build a powerful nation where the national power is strong, everything booms and the entire people live without envy in the world, and to achieve the country's independent peaceful reunification, the supreme task of the nation.

B. General political structure

17. The political system of the DPRK is socialist democratic republicanism.
18. The power belongs to all the working people, including workers, peasants and working intellectuals. The working people exercise power through the Supreme People's Assembly and local people's assemblies at all levels, their representative organs.
19. The system of State organs is composed of the system of power organs, the system of administrative organs and the system of judicial and procuratorial organs.

1. System of power organs

20. The system of power organs consists of the Supreme People's Assembly (SPA), the Presidium of the Supreme People's Assembly (PSPA), local people's assemblies and local people's committees.
21. The SPA is the highest power organ of the Republic. The SPA is composed of deputies elected on the principle of universal, equal and direct suffrage by secret ballot and its term of office is five years. The SPA exercises legislative power and the power of organizing leading State organs (such as the National Defence Commission, the PSPA, the Cabinet, etc.).

establishes the basic principles of domestic and foreign policies of the State, deliberates and approves the State plan for the development of the national economy, the State budget and its implementation result, and discusses and decides important and principled political issues of the State.

22. The National Defence Commission (NDC) is the highest military leadership body of State power and the organ of overall administration of national defence. The NDC directs the whole armed forces and defence build-up of the State and is accountable to the SPA.

23. The PSPA is the highest organ of State power when the SPA is not in session. It deliberates and adopts the bills raised in the intervals between the SPA sessions, obtains the approval of the next session of the SPA for the important laws, supervises observance of the law by the State organs in taking relevant measures, discusses and decides important issues for the exercise of State power. The PSPA represents the State. The PSPA is accountable to the SPA.

24. The people's assembly of the province (or municipality directly under central authority), city (or district) and county is the local organ of State power. The local people's assembly consists of deputies elected on the principle of universal, equal and direct suffrage by secret ballot and its term of office is four years. The local people's assembly is the local representative organ of the people and exercises such sovereignty within the given area as deliberating and approving the local plan for the development of the national economy, local budget and its implementation result; adopting measures to observe State laws in the area concerned; electing or recalling members of people's committees, judges and people's assessors of the court at the corresponding level, etc. The local power organs when the local people's assemblies are not in session are the people's committees of the province (or municipality directly under central authority), city (or district) and county. The local people's committee is also the administrative and executive organ of State power at the corresponding level. The local people's committee consists of the chairman, vice-chairmen, secretary and members and its term of office is the same as that of the corresponding people's assembly. The local people's committee exercises the function of the local organ of State power when the corresponding people's assembly is not in session and exercises such sovereignty as convening sessions of the people's assembly, organizing the election of deputies, working with the deputies, etc. The local people's committee is guided by the corresponding people's assembly and by the senior people's assemblies or committees and is accountable to them.

2. System of administrative organs

25. The system of administrative organs consists of the Cabinet and the local people's committees.

26. The Cabinet is the administrative and executive body of the highest State power and the organ of overall State administration. The Cabinet consists of the Premier, Vice-Premiers, chairmen, ministers and other members as required and its term of office is the same as that of

the SPA. The Cabinet takes measures for the implementation of the State policies and laws, adopts the regulations on State administration on the basis of the Constitution and the laws, drafts the State plan for the development of the national economy and the State budget, adopts measures for their implementation, organizes and executes the work of industries, agriculture, education, science, culture, public health, external affairs, etc., organizes and executes the overall administrative and economic activities of the State. The Cabinet is accountable to the SPA, and, when it is not in session, to the PSPA.

27. The people's committees of the province (or municipality directly under central authority), city (or district) and county exercise the function of the local organ of State power when the people's assembly at the corresponding level is not in session and the administrative and executive organ of State power. The local people's committee organizes and carries out all administrative and economic work in the given area, is accountable to the corresponding people's assembly for its work and is subordinate to the people's committees at higher levels and the Cabinet.

3. System of judicial and procuratorial organs

28. The system of judicial and procuratorial organs consists of courts and public prosecutors' offices.

29. The system of judicial organs is composed of the Central Court, the court of the province (or municipality directly under central authority), the people's court and the special court. The courts are constituted by judges and people's assessors who are elected by State power organs at all levels. The President of the Central Court is elected by the SPA, and its judges and people's assessors by the Presidium of the SPA. Judges and people's assessors of local courts are elected by the corresponding local people's assemblies. Judges of the special court are appointed by the Central Court and its people's assessors elected by soldiers of the unit concerned or by employees at their meetings. The Central Court is the highest judicial organ of the Republic and is accountable to the SPA and to the PSPA when the SPA is not in session. The local courts are accountable to their respective people's assemblies.

30. The system of procuratorial organs consists of the Central Public Prosecutor's Office, the public prosecutors' offices of the province (or municipality directly under central authority), city (or district) and county and the Special Public Prosecutor's Office. The Prosecutor General of the Central Public Prosecutor's Office is appointed by the SPA and public prosecutors of various levels by the Central Public Prosecutor's Office. The procuratorial organs supervise the observance of laws. Investigation and prosecution are conducted under the unified direction of the Central Public Prosecutor's Office, and all Public Prosecutor's Offices are subordinate to their higher offices and the Central Public Prosecutor's Office. The Central Public Prosecutor's Office is accountable to the SPA and the PSPA when the SPA is not in session.

III. GENERAL LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

A. Legislative measures taken for human rights protection

31. The DPRK regards human rights as the independent rights which people ought to exercise as social beings in political, economic, cultural and every other sphere of social life and actively strives to protect and realize them.

32. Embodying the new philosophical principle that man is the master of everything and decides everything as well as the demands of the Juche idea that man be placed in the centre of all considerations concerning nature and society and everything made to serve him, the respected President Kim Il Sung set forth the idea of human rights that man, the most precious being in the world, should be freed from all social subordination and inequalities and enjoy an independent and creative life to the full.

33. The Juche-oriented idea of human rights was embodied in the Ten-Point Programme of the Association for the Restoration of the Fatherland published in May 1936, when the anti-Japanese armed struggle was being waged.

34. With a view to ensuring completely the social and political rights of all people, article 6 of this Programme stipulates: "Freedom of speech, the press, assembly and association shall be realized, the Japanese terrorist rule and the remnants of feudal ideas opposed and all political prisoners released." And on human equality and respect of all people, article 7 states: "Discriminatory status systems and other inequalities shall be abolished, human equality of sex, nation, religion, etc. guaranteed, social position of women improved and the dignity of females respected."

35. In order to provide social, economic and cultural rights, the Programme and the Declaration of the Association for the Restoration of the Fatherland advanced the "adoption of popular and democratic policies of economy and culture", "abolition of slave labour and education", enforcement of "free compulsory education" and "eight-hour working day", "improvement of working conditions and raise of wage" and "relief of the unemployed masses".

36. After liberation, the Provisional People's Committee of North Korea set forth the programme for defending the people's rights and interests by the proclamation of the Twenty-Point Platform to be pursued by the democratic government that would be set up soon.

37. In accordance with the Platform, the Committee took various legislative measures for ensuring people their rights and freedom.

38. For the democratic socio-political reform and the democratization of the judicature, the Committee formulated the Rules of the Provisional People's Committee of North Korea (6 March 1946), the Basic Principles of the Composition and Function of the Judicial Board, the

Court, and the Public Prosecutor's Office of the Provisional People's Committee of North Korea (6 March 1946), the Rules of the Criminal Justice of the North Korean Judicial Organs (14 May 1946) and the Law on the Criminal Hearing by the Public Prosecutor's Office and the Preliminary Examination of Security Organs of North Korea (20 June 1946).

39. The legislation for securing democratic socio-economic reform includes the Law on the Agrarian Reform in North Korea (5 March 1946), the Law on Nationalization of Industries in North Korea (10 August 1946), the Labour Law for the Factory and Office Workers in North Korea (24 June 1946), the Law on Equality of the Sexes (30 July 1946), etc.

40. In order to secure the democratization of social and cultural life, the Committee enacted the Law on the Protection of Life, Health, Freedom and Honour (24 January 1947), the Law on the Abolition of the Remnants of the Feudal Customs (24 January 1947), the Law on the Protection of Private Property (24 January 1947) and the Law on Crimes against Public Health (24 January 1947).

41. The People's Committee of North Korea, after its establishment in February 1947, approved democratic laws including the Law on Agrarian Reform and the Law on Equality of the Sexes and adopted new laws and regulations to consolidate by law the achievement of democratic reform.

42. The DPRK, after its foundation in September 1948, adopted its Constitution (9 September 1948) to fix and reaffirm by law the achievement and successes and the democratic rights of the citizens in the sectors of political, economic, social and cultural life.

43. The DPRK took measures to fully protect the rights of citizens by promulgating the Law on Composition of the Court (1 March 1950), the Criminal Law (3 March 1950), the Criminal Procedures Act (3 March 1950) and other related laws.

44. The DPRK adopted the Socialist Constitution on 27 December 1972 in line with the established socialist system and amended it, in April 1992 and October 1998, to consolidate the successes of the socialist construction and to better protect the genuine democratic freedom and rights of the citizens.

45. On the basis of the Socialist Constitution, the DPRK constructed many relevant laws for the promotion and protection of human rights in keeping with the developing reality.

46. The DPRK instituted anew the Criminal Law and Criminal Procedures Act on 19 December 1974 and revised them on 5 February 1987 and on 15 January 1992 respectively.

47. The DPRK adopted the Civil Procedures Act (10 January 1976), the Civil Law (5 September 1990) and the Family Law (24 October 1990).

48. The DPRK also enacted hundreds of laws and regulations such as the Law on Nursing and Upbringing of Children (29 April 1976), the Labour Law (18 April 1978), the Public Health Law (3 April 1980), the Law on the Protection of the Environment (9 April 1986), the

Law on Elections to the People's Assembly at all Levels (7 October 1992), the Nationality Law (23 March 1995), the Appeal and Petition Law (17 June 1998), the Law on External Civil Relations (6 September 1995), the Law on Composition of the Court (1 July 1998), the Law on Lawyers (23 December 1993), the Notary Public Law (2 February 1995), the Education Law (14 July 1999), the Law on Prevention of Epidemics (5 November 1997), the Insurance Law (6 April 1995) and the Foreign Trade Law (10 December 1997), etc. so that citizens may better enjoy their democratic rights and freedom and their material and cultural life in all the political, economic, social and cultural fields.

B. General legislative structure for human rights protection

49. The major bodies responsible for democratic rights and freedom of the people are the people's committees at all levels. Judicial, procuratorial and people's security organs also assume the important mission and function of protecting human rights. Besides, human rights protection work is conducted by the public organizations such as the Institute for the Research of Human Rights, the Association Supporting the Disabled, the Committee on Measures for Compensation to the former "Comfort Women for the Japanese Army" and the Pacific War Victims, the Democratic Lawyers' Association, the bar association, the youth league, trade unions, the women's union, etc.

50. There is a rehabilitation and compensation system for the citizens whose rights are infringed. Citizens may lodge a communication or an appeal with the State organs, or judicial or other State organs when their rights are violated. The State organs examine the case in accordance with due procedures and have the victim properly rehabilitated or compensated if the communication or appeal prove to be reasonable. Unfairly detained or punished people are properly rehabilitated or compensated under the Law on Damages and the Regulation on Criminal Compensation.

51. The rights provided by the international instruments on human rights are reliably protected by the Constitution and other relevant laws and regulations. No right is either restricted or derogated from.

52. The DPRK Government makes every effort to implement the international human rights instruments with credit.

53. The provisions of the instruments are applied either directly or by being turned into domestic laws and regulations.

54. The DPRK has embodied the rights contained in the instruments in its laws and regulations as well as in the Constitution, and has taken or is taking practical measures to realize them. As a result, the rights are well protected. The DPRK citizens are sufficiently ensured true democratic freedom and rights. Non-discrimination is required by all the provisions of the Constitution that are related to citizens' rights.

55. Foreigners staying or residing in the DPRK also enjoy legal rights.

56. After ratifying several international human rights instruments, the DPRK amended and supplemented the Constitution and revised or adopted the Criminal Law, the Criminal Procedures Act, the Civil Law, the Family Law and others reflecting the requirements of the instruments.

IV. INFORMATION AND PUBLICITY

57. The Government took measures to inform the State organs, public organizations and the masses of the idea of the international human rights instruments. The Government actively disseminates relevant information through mass media on the occasion of Human Rights Day and other international anniversaries and also organized lectures, short courses and seminars. The texts of the instruments have been translated into Korean and disseminated to the people's power organs, judicial, procuratorial and people's security organs, economic and cultural organs and public organizations, and are taught in the regular higher educational institutions. The Compilation of International Instruments on Human Rights (vols. I and II), a compilation of international instruments on the rights of the child, etc. have been published in Korean and disseminated.

58. Upon the submission of the report on the implementation of the international human rights instruments to which the Government has acceded, the copies of the report and the information on its submission were disseminated to people's power organs at all levels, the ministries concerned, the judicial, procuratorial and people's security organs, the youth league, trade unions, the women's union, the bar association, the Institute for Research on Human Rights, and reported through the mass media.

Annex

Statistical tables

Table 1

Background of the country

Indicator	1993	1999	2000
Total population	21 213 000	22 754 000	22 963 000
Average lifespan	72.7	66.8	67.1
GNP per capita	991 US\$	453 US\$	463 US\$
GNP (million US\$)	20 882	10 265	10 593

Table 2

Population, by province

Province	Population (1 000)	% of total
Pyongyang city	3 084.4	13.4
South Pyongan	3 050.7	13.2
South Hamgyong	2 929.8	12.8
North Pyongan	2 437	11.4
North Hamgyong	2 221.3	9.7
South Hwanghae	2 224	9.7
North Hwanghae	1 665.4	7.2
Kangwon	1 406.1	6.1
Jagang	1 239.2	5.4
Nampo city	792.3	3.5
Ryangang	686.9	3.0
Kaesong	363.2	1.6

Table 3

Population in urban and rural areas (%)

Urban area	Rural area
60.2	39.8

Table 4

Households

Year	No. of households (1 000)
1993	4 813
2000	5 693

Table 5

**Male/female employment rate in different sectors
(1 000)**

Classification		Industry	Agriculture	Construction and geology	Transport and communication	Commerce and procurement	Education, culture and public health	Land and city administration
1 9 9 5	Male	2 001	1 751	350	294	161	348	157
	Female	2 283	1 703	110	121	353	515	101
1 9 9 9	Male	2 063	1 806	367	310	169	356	161
	Female	2 347	1 761	115	124	360	530	104

Table 6
Average life span

Year	Average	Male	Female
1936-1940	38.4	37.3	39.5
1957	57.0	55.0	59.0
1960	58.3	56.0	59.0
1964	59.9	57.5	61.9
1969	63.8	62.0	68.0
1972	66.0	62.9	68.9
1986	74.3	70.9	77.3
1991	74.5	71.0	77.6
1993	72.7	68.4	76.0
1996	70.1	67.3	75.0
1999	66.8	62.8	70.7
2000	67.13	63.04	70.94

Table 7
Major health indices (%)

Year	Birth rate	Mortality rate	Infant mortality rate
1955	40.5	20.9	56.4
1960	38.5	10.5	37.0
1970	44.7	7.0	22.7
1980	21.8	4.5	14.2
1990	22.0	5.9	9.2
1993	20.0	5.5	14.1
1996	20.1	6.8	18.6
1998	18.2	9.3	23.5
1999	17.8	8.9	22.5
2000	17.5	8.8	21.8

Table 8

Number of technicians and experts

Year	Number (1 000)
1993	1 730
1998	1 895

Table 9

Number of medical doctors

Year	Number of medical doctors per 10 000 population
1995	30
1998	44

Table 10

External debt, unemployment and adult illiteracy

Year	External debt (million US\$)	Unemployment	Adult illiteracy
1999	4 430	-	-
2001	4 701	-	-
